

February 1, 2013

Jared Manning  
Assistant State Engineer  
Utah Division of Water Rights  
Department of Natural Resources  
P.O. Box 146300  
Salt Lake City, Utah 84114-6300

Re: Letter dated January 8, 2013, addressed to Notom Water Users

Dear Mr. Manning:

I appreciate you meeting with my representatives, Cathy Bagley and John Mabey on January 28<sup>th</sup>. I wish to follow up with you about the information in the letter and accompanying Table labeled "Surveyed Acreage in Notom- Preliminary Data".

Some of the information, including the estimated irrigated acreage represented to be by Torgersen Engineering is not accurate. Nor did I request Mr. Torgersen or the Division of Water Rights to complete this information. Mr. Torgersen was not authorized by me to calculate or provide the information as per the letter enclosed.

Please take note of these concerns.

Sincerely,

*Ed Lachman*

Edward Lachman  
43 East 19<sup>th</sup> Street  
New York, New York 10003-1337

RECEIVED  
FEB 05 2013 JH  
WATER RIGHTS  
SALT LAKE

# **TORGERSEN ENGINEERING**

180 N. 100 E. SUITE N  
RICHFIELD, UTAH 84701

OFFICE (435) 893-0081  
FAX (435) 896-8797

January 30, 2013

Jared Manning  
Assistant State Engineer  
Utah Division of Water Rights  
Department of Natural Resources  
P.O. Box 146300  
Salt Lake City, Utah 84114-6300

RE: Notom Water Right Map and Irrigated area tabulation.

Dear Mr. Manning

In October, 2012, our office received a request from Kay Durfey to prepare a map for the Division of Water Rights (Mike Silva) showing various water users and irrigated land in the Notom area based on aerial photos. During the preparation of the map, we were not authorized to include the irrigated land and calculation of same for property owned by Ed Lachman's.

I am attaching a copy of the map sent to Mike Silva on November 13, 2012 with the irrigated area calculations for various land owners tabulated. There was no irrigated land or tabulation of same shown for Ed's property on the map.

On January 8, 2013 I received a copy of a letter sent from Mike Silva to Notom Water Users with a tabulation of irrigated land including Ed Lachman's parcels and indicating that we had included same in our calculations.

Following is an email sent to Mike on January 10<sup>th</sup>, immediately after receiving a copy of the letter to Notom Water Users:

**Torgersen, Rodney** <rod@torgeng.com>

to Mike

Mike,  
I just got a copy of your letter to the Notom water users, and have a concern.  
We were asked not to include Lachman's area on the map, and you will note that it is not shown on the pdf we sent on November 13, 2012, and not included in our calculation of irrigated area tabulation.  
I was out of the office on the 26th of November and asked my son Tom to send you the ACAD drawing. He mistakenly showed a hatched area on Lachman's property which shouldn't have been.  
It appears you used that to calculate the irrigated area and show that we were the ones providing the calculation for the property owned by Ed.  
I am not sure what can be done at this point, however I want to make it clear that the calculation shown of 28.75 acres irrigated included in the table was not provided from our office.  
Thanks

Rod Torgersen  
Torgersen Engineering, Inc  
180 North 100 East, Suite N  
Richfield, UT 84701  
435-893-0081  
435-979-0363 (cell)

As shown on the attached map, and the email above, we were not authorized to, nor did we, include water use on land owned by Ed Lachman.

Sincerely,

A handwritten signature in black ink, appearing to read "Rodney K. Torgersen". The signature is fluid and cursive, with the first name "Rodney" being more prominent.

Rodney Torgersen, PE, PLS

